

Article 4: Subdivision Regulations

Division 5: Condominium Conversion Regulations

(Added 3-8-2004 by O-19266 N.S.)

§144.0501 Purpose of Condominium Conversion Regulations

The purpose of these regulations is to provide for the conversion of apartments to condominiums while, at the same time, protecting the interests of tenants by giving them notice of the proposal and assuring specified tenants that during times of tight rental markets there will be provided reasonable assistance in relocating their places of residence. It is also the intent of these regulations that tenants of *condominium conversion* projects be given adequate notice of any such proposals.

(Added 3-8-2004 by O-19266 N.S.)

§144.0502 Fees and Deposits

In addition to the fees required by Chapter 11, Article 2, Division 2, Fees and Deposits, the *applicant* shall deposit with the City an amount equal to \$200 for each unit proposed to be converted which is occupied by a tenant eligible for relocation assistance. The funds shall be used by the City of San Diego to reimburse the Housing Commission for its costs incurred in monitoring compliance with the obligations set forth under this division and in providing technical assistance to assist eligible tenants in their relocation. If the costs incurred by the Housing Commission exceed the amount deposited by the *applicant*, an additional deposit shall be made by the *applicant* equal to the original deposit. Nothing contained in this division shall impose a duty upon the City or the Housing Commission to pay any relocation benefits to eligible tenants.

(Added 3-8-2004 by O-19266 N.S.)

§144.0503 Tenant Benefits, Rights and Obligations

- (a) The *subdivider* of a *condominium conversion* project shall provide the benefits specified in section 144.0503 to any person whose tenancy in the project the *subdivider* terminates due to the *condominium conversion*.
- (b) The *applicant* shall provide a relocation assistance payment equivalent to three months' current rent to all tenants of the project whose income is less than 100 percent of area median income (as calculated by the U.S. Department of Housing and Urban Development for the San Diego Standard Metropolitan Statistical Area). The relocation payment shall be paid no later than the day on which the *applicant* gives notice to the tenant to vacate the *premises*.

(Added 3-8-2004 by O-19266 N.S.)

§144.0504 Vacancy Rate Determination and Suspension of Relocation Payment

- (a) On or before April 1, 2005, and each year thereafter, the Planning Commission shall determine that if the average vacancy rate for residential rental units exceeded seven percent on a City-wide basis for the previous calendar year, then the payment of relocation benefits pursuant to section 144.0504(a) shall not apply to *condominium conversions* in the calendar year starting April 1 of that year.
- (b) Planning Department staff shall submit to the Planning Commission in March of each year a report identifying the vacancy rates for residential rental units in the City as of January 1 of that year, and July 1 of the preceding year. The report shall also include an annual average. The report is to be based on the results of a survey of rental apartments to be taken during the months of January and July of each year, plus any other information regarding vacancy rates submitted to the Planning Commission by other governmental agencies and other interested parties.

(Added 3-8-2004 by O-19266 N.S.)